



Local Laws

Recfishwest do not support the Local Laws relating to the management of recreational fishing.

Local Government Authorities (LGA's) have a responsibility for planning and delivering core services in the community including waste, roads, parks, playgrounds and gardens, as well as statutory responsibilities in planning and development approvals, public health and various licencing requirements. They do not have a responsibility or the authority to manage fishing activity.

While LGA's have authority to make local laws under the Local Government Act 1995 Recfishwest do not believe these powers extend to the management or regulation of fishing to the extent that overrides the governing state fisheries legislation and section 3.7 of the Local Government Act 1995 states 'A local law made under this Act is inoperative to the extent that it is inconsistent with this Act or any other written law'.

Recfishwest also do not believe LGA's have the necessary fisheries management experience or skills required to govern recreational fishing. Recfishwest believe state-based Fisheries legislation is and should remain the overriding legislation governing fisheries in Western Australia and we believe LGA's should stick to managing roads, rubbish and rates and leave recreational fisheries management to the state.

Background

Fish and fisheries are an integral part of most societies and their importance has seen fisheries managed at a state level across all Australian states and territories. In Western Australia the Fish Resources Management Act 1994 (FRMA) is the primary legislation governing the management of fisheries. This act is under the control of the Minister for Fisheries with the Department of Primary Industries and Regional Development (DPIRD) principally assisting the Minister in the administration of this Act which includes the development of any subsidiary legislation to prohibit fishing.

Fisheries management is complicated, it requires a specific set of skills in order to balance the competing demands on our aquatic resources against a suite of dynamic and variable environmental parameters and a wide range of societal and economic expectations. Recfishwest do not believe LGA's are best placed or have the required fisheries knowledge, experience or skills to manage the states aquatic resources.

A state-wide (or Bioregional) approach to fisheries management that follows environmentally sustainable development principles is the accepted best practice way to implement a consistent set of recreational fishing rules. Fish species have large and often migratory movement patterns and

the generally complex interconnected nature of fisheries management means it is best practice to manage fish stocks on a geographical scale that is far larger than any local government boundary.

The complicated nature of fisheries management also needs to be regulated in the simplest manner possible to support recreational fishing as overly complicated rules are likely to reduce fishing participation which will also impact on the state's economy. In Western Australia, recreational fishers directly inject \$2.4 billion dollars into the local economy every year making it an important economic driver especially in regional areas. This economic activity relies on maintaining positive fishing experiences which includes a simple and consistent set of fishing rules wherever possible.

If each of the states 137 LGA's decided to implement their own local laws regulating recreational fishing there exists the potential for 137 separate bag and size limits for any given fish species, 137 separate fishing seasons and 137 different types of permitted fishing methods. The confusion created by local laws governing fishing activity is something that is unnecessary and something that should be avoided at all costs.

While Recfishwest do not always support the regulations governing the management of recreational fishing we do support the Fish Resource Management Regulations 1995 being the primary form of subsidiary legislation made under the FRMA to manage fishing in Western Australia.

Recfishwest recognise from time to time some recreational fishing activities might be considered inconsistent with the prevailing community values of a resource. In cases where these concerns are deemed real, valid and truly representative of broader community concerns Recfishwest are supportive of introducing measures to resolve this conflict, this could include restriction on fishing access. Any such measures must be implemented through the relevant fisheries legislation and in such a way as not to impact on other types of fishing that are unrelated to the activity of concern.